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Official Records

First Committee
18th Meeting
Monday, 10 November 1997, 3 p.m.
New York

Chairman: Mr. Nkgowe . . . . . (Botswana)

The meeting was called to order at 3.15 p.m.

Agenda items 62 to 83 (*continued*)

Action on all draft resolutions submitted under all items

The Chairman: In accordance with the adopted programme of work and timetable, this afternoon the Committee will embark on the fourth phase of its work, namely, action on all draft resolutions submitted under all agenda items.

As I informed members of the Committee at our meeting on Friday, 7 November, the Committee today will proceed to take a decision on the following drafts that appear in cluster 1, "Nuclear weapons", of the Chairman's suggested programme: A/C.1/52/L.4, L.7, L.15, L.17, L.26, L.29, L.32/Rev.1, L.35, L.37, L.38, L.41 and L.44. Then, if time permits, the Committee will proceed with the following draft resolutions that appear in cluster 2, "Other weapons of mass destruction": A/C.1/52/L.24 and L.25/Rev.2.

However, before the Committee begins to take action on those draft resolutions, I would like to repeat the procedure that the Committee will observe at this stage of its work. At the outset of each meeting, delegations will have an opportunity to introduce revised draft resolutions. Then I will call upon those delegations wishing to make general statements or comments other than in explanation of their position or vote on the draft resolutions in a particular cluster.

Thereafter, delegations may proceed to explain their position or vote on the draft resolutions before a decision is taken.

After the Committee has taken a decision on a draft resolution, I will call upon those delegations wishing to explain their position or vote on the draft resolution after a decision has been taken.

Therefore, delegations will have two opportunities to make comments on a particular draft resolution: either before or after a vote is taken on a draft. In accordance with the rules of procedure, sponsors of draft resolutions are not permitted to make statements of explanation of their votes. They are only allowed to make general statements at the beginning of the meeting or of a new cluster.

In order to avoid misunderstanding, I would again like to urge those delegations wishing to request a recorded vote on any particular resolution kindly to inform the Secretariat of their intention before the Committee begins its action on any individual cluster.

With regard to any deferment of action on any draft resolution, delegations should inform the Secretariat in advance. Every effort should be made to refrain from resorting to a deferment of action.

Is there any comment? I see none.

Before the Committee proceeds to take a decision on the draft resolutions contained in cluster 1, "Nuclear weapons", I will now call upon those delegations wishing to introduce revised draft resolutions, if there are any.

97-86455 (E)

This record contains the original texts of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

I call on the representative of Uzbekistan to introduce the draft resolution contained in document A/C.1/52/L.44/Rev.1.

Mr. Razzakov (Uzbekistan) (*interpretation from Russian*): I have the honour to introduce, on behalf of the delegations of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, a draft resolution entitled "Establishment of a nuclear-weapon-free zone in Central Asia". The text of the draft resolution is contained in document A/C.1/52/L.44/Rev.1.

Among the priorities for action under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), activities to expand nuclear-weapon-free zones have acquired particular importance. This objective was reflected in the provisions of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Its relevance was also reaffirmed at the first session of the Preparatory Commission for the year 2000 Review Conference. The establishment of new nuclear-weapon-free zones before the holding of the Review Conference is being encouraged as one of the major means of strengthening the NPT regime.

The idea of establishing regional nuclear-weapon-free zones is of unprecedented significance for the process of stabilization on the global level. As of today, more than 100 countries have become parties to nuclear-weapon-free zones.

The existing nuclear-weapon-free-zone treaties share a number of general, fundamental principles. At the same time they have their own specific characteristics that reflect the specific conditions of each region. Experience has shown that the wish to establish nuclear-weapon-free zones can also promote the non-proliferation of nuclear weapons and the strengthening of peace and security, not only in the regions concerned but throughout the world. Of particular significance here also is compliance with international legal norms and internationally agreed-upon criteria.

The dedication of the Central Asian States to the policy of non-proliferation is confirmed by their participation in the NPT and is expressed in their political will to establish a nuclear-weapon-free zone in Central Asia. The adoption by the Heads of the Central Asian States of the Almaty Declaration of 28 February 1997 and the statement by the Ministers for Foreign Affairs of the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan and the Republic of Uzbekistan on the establishment of a nuclear-weapon-free zone in Central Asia, signed at Tashkent on 15 September 1997, were both concrete steps towards the implementation of the idea of the establishment of a nuclear-weapon-free zone in our region.

The draft resolution submitted for the Committee's consideration has been jointly prepared by the delegations of the Central Asian States, taking into account the views of other interested parties. We are sincerely grateful to these latter for their constructive cooperation.

The preambular part of the draft resolution contains generally accepted reaffirmations of the importance of internationally recognized agreements on the establishment of nuclear-weapon-free zones in various regions of the world; of the role of the United Nations in promoting the establishment of such zones; and on the positive contributions that such zones make to the cause of nuclear non-proliferation and disarmament. In addition, the preambular part welcomes the measures taken on a regional level to establish a nuclear-weapon-free zone in Central Asia.

In our view, the key provision of the draft resolution is the operative paragraph that calls upon all States to support the initiative of the States of the region aimed at the establishment of a nuclear-weapon-free zone in Central Asia.

The operative part also contains a paragraph that requests the Secretary-General, within existing resources, to provide assistance to the Central Asian countries in the preparation of the form and elements of an agreement on the establishment of a nuclear-weapon-free zone in Central Asia.

Allow me to express the hope that the draft resolution will receive support from the First Committee and will be recommended to the General Assembly for adoption by consensus.

The Chairman: Are there any comments on the representative of Uzbekistan's introduction?

I will now call upon those delegations wishing to make general statements, other than explanations of their position or vote, on draft resolutions contained in cluster 1.

Mr. Karem (Egypt): Last Friday my delegation introduced the draft resolution contained in document A/C.1/52/L.4*, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East". At that

time a delegation spoke and introduced its own ideas, sometimes very vehemently, on certain changes that have been incorporated in this text.

For our part, we felt that the draft resolution should reflect honestly the developments as they are, as we see them, as we feel them, and as we have dealt with them during the last year, from the last General Assembly until today. And this has been the *raison d'être* behind the introduction of the resolutions on this subject.

We also spoke about why we believe that these resolutions, which have been adopted by consensus from 1980 until today, deserve the utmost attention and priority of this body. It is within that spirit of accommodation that this delegation engaged in extensive consultations with other interested parties.

I would like to announce at this juncture that we saw fit to withdraw some of the amendments we introduced earlier. They are, in particular, incorporated in operative paragraph 4, to which we will be adding the words "the activities of" after "negotiations and" in the second line.

On the other hand, there will be a deletion in operative paragraph 10, from which we will be deleting the word "actively" in the first line.

Needless to say, we do this in order to preserve the spirit of compromise and consensus which has worked well in this resolution from 1980 until today. We do it because we believe in it, as a country that initiated this initiative in 1974 and that worked very hard to have this resolution adopted by consensus from 1980 until today because of the principles and provisions it enshrines, which are very dear to us and which we will not enumerate here. But I must call the Committee's attention to what is enshrined in operative paragraphs 1 and 2.

We therefore hope that, with the introduction of these amendments, which were the result and by-product of extensive consultations during the weekend, the First Committee will find it fit to adopt this initiative and draft resolution once again by consensus.

On a technical note, just for the Secretary's attention, there is a technical error in operative paragraph 3. I am almost certain that the adoption of International Atomic Energy Agency (IAEA) resolution GC(41)Res/25 was not on 3 September 1997. I think this is a small problem which we can all work on and solve very swiftly, so I just wanted to bring to the attention of the Committee that there is a very small technical amendment that will happen in operative paragraph 3, dealing with the references to the General Conference resolution on the application of IAEA safeguards in the Middle East.

Once again, I thank you, Mr. Chairman, and through you would like to put this draft resolution to this body to be adopted by consensus.

Mr. Danieli (Israel): In view of the statement made by the representative of Egypt, my delegation is willing to withdraw its two amendments contained in documents A/C.1/52/L.46 and A/C.1/52/L.49, in the understanding that those changes — namely, the addition of the words "the activities of" within the body of operative paragraph 4 of A/C.1/52/L.4 and the addition of the word "actively" in the first line of operative paragraph 10 — will be shown on the revised text of our Committee.

In such an event, my delegation is in a position to join the consensus and will explain its position after the draft resolution is adopted.

Mr. Stevčevski (The former Yugoslav Republic of Macedonia): I would like briefly to make general comments on the draft resolutions in cluster 1.

In the view of my delegation, nuclear disarmament should remain a priority on the disarmament agenda. The aim should be, as we underlined in our statement in the general debate, a world without nuclear armament. The main way to achieve that goal should be the promotion of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and all other activities, including bilateral agreements among nuclear Powers, which can contribute to that aim. It is important that the international community continue to advance the process of nuclear disarmament. The resolution of the First Committee should further that process.

It is important that the nuclear States understand the interest of the non-nuclear States in speedy nuclear disarmament and that the non-nuclear States take into account the fact that they will not be allowed to become nuclear States. Therefore, the First Committee and the Conference on Disarmament should, in our view, work harder in the future to narrow the gap between the positions of the nuclear and non-nuclear States.

The starting point should be the maintenance of international security and the enhancement of international cooperation. This will be the basis upon which my

delegation will cast its votes on the draft resolutions before us.

Mr. Parnohadiningrat (Indonesia): My delegation would like to make a statement on two draft resolutions in the cluster.

The first is on the draft resolution contained in document A/C.1/52/L.29. My delegation is a co-sponsor of the draft resolution, entitled "Nuclear disarmament", introduced by the representative of Myanmar. In a world where the doctrine of nuclear deterrence has become irrelevant, there can be no rationale for the retainment of nuclear weapons, which should be phased out with a view to their ultimate elimination. It is hoped that, with further progress in the critical area of reducing and eliminating nuclear armaments, the qualitative growth of these weapons will soon be curbed.

In the post-cold-war era, new attitudes and approaches have emerged, bringing fresh impetus to the long-dormant disarmament scene. As is stated in the draft resolution, particularly in paragraphs 6 and 7, international endeavours to achieve the goal of nuclear disarmament under multilateral auspices should be pursued under the auspices of the Conference on Disarmament, with a negotiating mandate. In our view, this draft resolution merits positive consideration and support from this Committee.

Indonesia is a cosponsor of the draft resolution contained in document A/C.1/52/L.37, concerning the Advisory Opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*. In expressing its opinion, the Court agreed unanimously that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament. Although the term "Advisory" is used, in our view it is legally authoritative. Thus, it has placed an obligation on the nuclear-weapon States to conclude negotiations leading to nuclear disarmament, which is the overall objective of an overwhelming majority of Member States. Hence, there should be no attempt later to defuse or fudge the implications of the Court's Opinion.

Recent developments have been a cause of growing concern in response to the Court's Advisory Opinion on this issue. Specifically, we have encountered continuing resistance to the negotiation of nuclear disarmament issues in the Conference on Disarmament, the only multilateral negotiating forum under whose auspices a number of pertinent issues can be negotiated and agreed upon. What is called for is a comprehensive approach that would lead to the ultimate goal of the elimination of nuclear weapons as a legal obligation. This was the intent behind the Court's Opinion, to which the sponsors firmly extend their support.

Ms. Eshmambetova (Kyrgyzstan): The Kyrgyz delegation would like to associate itself with the statement made by my colleague from Uzbekistan, and without prejudice to his statement, I would like to make the following general comments with regard to draft resolution A/C.1/52/L.44/Rev.1, entitled "Establishment of a nuclear-weapon-free zone in Central Asia".

The trend towards nuclear-weapon-free zones in recent years is evidence of the significance of regional movements in advancing the cause of global non-proliferation and nuclear disarmament. The Treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba have made an important contribution to the non-proliferation regime, while also representing a significant step towards the ultimate goal of general and complete disarmament under strict and effective international controls.

These zones now cover nearly the whole of the southern hemisphere — in addition to Antarctica, the seabed and outer space. The five Central Asian States are united in their belief that the establishment of a nuclear-weapon-free zone in our region on the basis of arrangements freely arrived at between our States and taking into account its special characteristics will strengthen peace and security at the regional and global levels.

In the past year, the States of Central Asia have made considerable progress in their collective efforts to create a nuclear-weapon-free zone in our region. They are committed to taking further steps directed at elaborating the details of the proposed zone, among which is a proposal by the Kyrgyz Republic to convene a meeting of experts in Bishkek in 1998. As our States begin the serious work of drafting an agreement on the establishment of the proposed nuclear-weapon-free zone, we would welcome the support and assistance of interested States and international organizations, including the five permanent members of the United Nations Security Council and specialists from the United Nations Secretariat.

I would like to take this opportunity to express sincere thanks and gratitude for the support already voiced for the proposed Central Asian nuclear-weapon-free zone by a number of States, including Algeria, Australia, Colombia, Costa Rica, Egypt, Indonesia, Kenya, Mexico, Mongolia, New Zealand, the Non-Aligned Movement, the Republic of Korea, Senegal, Singapore, South Africa, Thailand,

Turkey, Venezuela and Zimbabwe. In the light of these expressions of support and of the informal consultations held with a number of delegations, we hope that the draft resolution will be adopted by consensus.

The Chairman: As no other delegations wish to make general comments at this stage, I will now call on those members of the Committee who wish to explain their position or vote before a decision is taken on the draft resolution contained in document A/C.1/52/L.4.

The Committee will now proceed to take action on draft resolution A/C.1/52/L.4*, as orally revised.

I call on the Secretary of the Committee.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.4*, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", was introduced by the representative of Egypt at the 17th meeting, on 7 November 1997. At the current meeting Egypt made oral amendments as follows.

A correction was made to operative paragraph 3 with regard to the dates. In the first line, the date 3 September 1997 should be 3 October 1997.

The representative of Egypt made an amendment to operative paragraph 4. In the second line, after the word "and" the phrase "the activities of" should be added.

In the first line of operative paragraph 10, the word "actively" should be deleted after the phrase "to continue to".

The representative of Israel made a statement to withdraw the amendments contained in documents A/C.1/52/L.46 and A/C.1/52/L.49 at the 18th meeting on 10 November.

The Chairman: The sponsors of draft resolution A/C.1/52/L.4* have expressed the wish that the draft resolution be adopted by the Committee without a vote. May I take it that the Committee wishes to adopt draft resolution A/C.1/52/L.4*, as amended?

Draft resolution A/C.1/52/L.4, as amended, was adopted.*

The Chairman: I call now on those delegations wishing to explain their positions on the draft resolution just adopted.

Mr. Dehghani (Islamic Republic of Iran): I wish to make a brief comment on draft resolution A/C.1/52/L.4*, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East". We are convinced that the establishment of a nuclear-weapon-free zone in the Middle East at an early date is the most viable way to achieve peace and security in that region. This has been Iran's consistent position since 1974, when it initiated what became General Assembly resolution 3263 (XXIX) of 9 December 1974 on the establishment of a nuclear-weapon-free zone in the region of the Middle East.

At present the main obstacle to the realization of this initiative is Israel's refusal to join the Treaty on the Non-Proliferation of Nuclear Weapons and to put its nuclear-weapons programme under International Atomic Energy Agency safeguards. The establishment of a zone free of nuclear and other weapons of mass destruction is a separate matter, and should not become hostage to the so-called peace process, which has no prospect of restoring genuine peace and security to the Middle East.

My delegation would have liked to become a sponsor of this draft resolution. However, because of references in the ninth preambular paragraph and in operative paragraph 4 to the peace negotiations, about which we have reservations based on our position of principle, and because these are unnecessary references to an unrelated matter, we were regrettably unable to become a sponsor of the draft resolution. We nevertheless wholeheartedly supported the context of the draft resolution.

Mr. Danieli (Israel): Israel joined consensus on draft resolution A/C.1/52/L.4*, as amended. Israel did so in spite of what it views as the inherent deficiencies of this draft resolution. This should not be interpreted as Israel's agreement to all the provisions of the draft resolution or the modalities contained therein. Israel joined in the consensus out of its conviction that a Middle Eastern nuclear-weapon-free zone will eventually serve as an important complement to overall peace, security and arms control in the region.

It has always been Israel's policy that the nuclear issue, as well as all other regional security issues, conventional and non-conventional, should be dealt with within the full context of the peace process. Moreover, negotiations on all these issues can be realistically expected to be conducted directly and freely only within the framework of the peace process. The political realities in our region mandate a practical, step-by-step approach: beginning the process with confidence-building measures, establishing peaceful relations and reconciliation, and in due

course complementing the process by dealing with conventional and non-conventional arms control. Furthermore, priority has to be assigned to dealing with those weapons and systems that have proven to be destructive and destabilizing. This step-by-step approach is sustained by the vast experience accumulated in similar processes elsewhere. As well proven in other regions, a step-by-step approach beginning with modest confidence-building measures, followed by the establishment of a peaceful environment, will eventually lead to more ambitious goals.

Consensus on draft resolutions like draft resolution A/C.1/52/L.4* has been maintained since 1980 because all parties concerned have found a way to respect each other's interpretation and reservations with regard to the draft resolution. My delegation hopes that the sense of responsibility shown by the Committee with regard to this draft resolution will prevail when we deal with other draft resolutions concerning the Middle East and the Mediterranean regions.

Mr. Abou-Hadid (Syrian Arab Republic) (*interpretation from Arabic*): My delegation wishes to explain its position on draft resolution A/C.1/52/L.4*, as amended, which was just adopted without a vote. We joined in adopting this draft resolution because we wanted to support the consensus and because we understand the vital importance of establishing nuclear-weapon-free zones in all regions, including in the Middle East. Our participation in the consensus was consistent with the Final Document of the tenth special session of the General Assembly, which called for the establishment of such zones, especially in the Middle East.

The establishment of such a zone in that region is not linked to the peace process, as we have just heard, because the peace process is not linked to adherence to the Treaty on the Non-Proliferation of Nuclear Weapons; such adherence is an obligation not subject to any peace agreements or peace negotiations.

In the ninth preambular paragraph, the Assembly would note that the peace negotiations in the Middle East should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region. We would have favoured the inclusion of a reference to the Madrid agreements and to the formula of land for peace.

Operative paragraph 4 does not take account of the realities. The bilateral negotiations have ceased; we are not participating in the deliberations of the multilateral Working Group on Arms Control and Regional Security and do not see the Group as promoting mutual trust and security in the region. That will not come about so long as Israel continues its occupation of Arab territory. Israeli withdrawal from all the territories would encourage the strengthening of mutual trust and security in the Middle East.

The Chairman: No other delegations wish to explain their positions on draft resolution A/C.1/52/L.4, so I will now give the floor to those delegations wishing to explain their position or vote before a decision is taken on draft decision A/C.1/52/L.7.

There being none, the Committee will now take action on draft decision A/C.1/52/L.7.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft decision A/C.1/52/L.7, entitled "Comprehensive Nuclear-Test-Ban Treaty", was introduced by the representative of Australia — the sponsors — at the Committee's 16th meeting, held on 6 November 1997.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New

Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Zambia, Zimbabwe

Against:

None

Abstaining:

Bhutan, India, Libyan Arab Jamahiriya, United Republic of Tanzania

Draft decision A/C.1/52/L.7 was adopted by 148 votes to none, with 4 abstentions.

The Chairman: I now call on those delegations wishing to explain their position or vote after the decision.

Mr. Rao (India): This Committee is aware of India's position on the Comprehensive Nuclear-Test-Ban Treaty (CTBT). India had voted against resolution 50/245. During the course of CTBT negotiations, India had repeatedly stated that a credible CTBT must be a first step in the process of nuclear disarmament. India had also conveyed to the international community that the CTBT should signal the end of all testing activity that was aimed at the developing and refining of nuclear weapons.

India has consistently pointed out that the CTBT, without being placed in the context of a phased programme for global nuclear disarmament, serves only the limited intent of non-proliferation rather than the universal goal of nuclear disarmament.

We would like further to reiterate that mere non-proliferation arrangements as are now manifest do not take into account our legitimate security concerns.

Recent developments confirm the validity of India's concerns expressed during the CTBT negotiations. It is a matter of regret that the CTBT in its present form contains loopholes which are being exploited by some countries to continue their testing activity, using more sophisticated and advanced techniques. Such activity, which takes place in established underground nuclear weapon sites and is unverifiable despite the elaborate verification mechanisms otherwise envisaged under the CTBT, demonstrates the nuclear weapon States' continued reliance on nuclear weapons and their programmes to further develop and refine nuclear-weapon technology.

We believe that global security cannot be enhanced by such partial or flawed measures. The assumption that the Treaty has now entered a different phase, and that its operationalization is the only issue and its content is not an issue, is misplaced. Our national security cannot be safeguarded in a world where legitimacy of nuclear weapons for security is reserved for a select few.

India remains committed to achieving global nuclear disarmament in a comprehensive and non-discriminatory manner. We believe that a nuclear-weapon-free world will enhance our national security as well as global security. Such a process, in order to be meaningful, can be based only on genuine multilateral negotiations aimed at developing a phased programme for the elimination of nuclear weapons within a specified time framework.

We therefore cannot be a party to the draft decision contained in document A/C.1/52/L.7. In view of the above, my delegation was obliged to call for a vote and to abstain on draft decision L.7.

The Chairman: There being no other delegations wishing to explain their vote after the voting, we shall proceed to take action on draft resolution A/C.1/52/L.15.

I will now give the floor to those members of the Committee wishing to explain their position or vote before a decision is taken on the draft resolution contained in document A/C.1/52/L.15.

There being none, the Committee will now take action on draft resolution A/C.1/52/L.15.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.15, entitled "Convention on the Prohibition of the Use of Nuclear Weapons", was

introduced by the representative of India at the Committee's 16th meeting, on 6 November 1997. In addition, the draft resolution is sponsored by those countries listed in the draft itself and in document A/C.1/52/INF/2.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zambia, Zimbabwe

Against:

Albania, Andorra, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Croatia, Cyprus, Estonia, Georgia, Ireland, Israel, Japan, Kazakhstan, Kyrgyzstan, Liechtenstein, Malta, Marshall Islands, New Zealand, Republic of Korea, Republic of Moldova, Russian Federation, San Marino, Solomon Islands, Sweden, Turkmenistan, Ukraine, Uzbekistan

Draft resolution A/C.1/52/L.15 was adopted by 95 votes to 30, with 28 abstentions.

[Subsequently, the delegation of Tunisia informed the Secretariat that it had intended to vote in favour.]

The Chairman: I now call upon those representatives wishing to explain their vote or position on the draft resolution just adopted.

Ms. Wang Xiaolin (China) (*interpretation from Chinese*): As in past years on similar draft resolutions, the Chinese delegation voted in favour of the draft resolution on the Convention on the Prohibition of the Use of Nuclear Weapons, contained in A/C.1/52/L.15. China has always held that before nuclear weapons are completely prohibited and destroyed, all nuclear-weapon States should unconditionally undertake not to be the first to use nuclear weapons and not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones. They should conclude binding international legal instruments to that effect.

The cold war has long been over; the international situation continues to be relaxed and relations between nuclear-weapon States continue to be adjusted and to improve. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has been extended indefinitely, and the international regime against nuclear proliferation has been further improved and strengthened. The number of nuclear-weapon-free zones is increasing, covering ever greater areas. The situation has undergone important and favourable changes. The demands of the numerous non-nuclear-weapon States are becoming stronger, and conditions for concluding those international legal instruments have been improving.

China calls upon the other nuclear-weapon States to consider positively the Chinese proposals and respond to them by agreeing to the beginning of negotiations on the issues to which I have referred. In our view, as soon as legally binding international instruments have been concluded on those questions, the possibility of using nuclear weapons under any conditions will be excluded. This will give great impetus to the achievement of the goal of the complete prohibition and destruction of nuclear weapons.

The Chinese delegation therefore supports the principles and purposes of the draft resolution contained in document A/C.1/52/L.15. We believe that the draft convention on the prohibition of the use of nuclear

weapons, annexed to the draft resolution, can become one of the bases for further negotiations. At the same time, we have quite different views on some of the wording of the draft resolution and the draft convention. We understand that, in accordance with the United Nations Charter, all countries have the right to self-defence.

Mr. Hayashi (Japan): I would like to explain Japan's abstention in the vote on the draft resolution contained in document A/C.1/52/L.15, entitled "Convention on the Prohibition of the Use of Nuclear Weapons". Japan, which has experienced the calamity of atomic bombing, fervently hopes that the use of nuclear weapons, which causes incomparable human suffering, will never be repeated, and firmly believes that continuous efforts should be made by all of us towards a world free of nuclear weapons.

Having said that, with regard to draft resolution A/C.1/52/L.15, I would like to state Japan's conviction that, given present international realities, steady, step-by-step progress in nuclear non-proliferation and nuclear disarmament is the only way for us to achieve the ultimate elimination of nuclear weapons. In order to make such progress, Japan attaches particular importance to the strengthening of the Non-Proliferation Treaty regime and to the early commencement of negotiations on a cut-off treaty, as well as to concrete efforts by the nuclear-weapon States towards nuclear disarmament.

The Chairman: As no more delegations wish to explain their vote on draft resolution A/C.1/52/L.15, we shall proceed to draft resolution A/C.1/52/L.17. I shall first call on those representatives wishing to explain their position or vote before a decision is taken on draft resolution A/C.1/52/L.17.

Mr. de Icaza (Mexico) (*interpretation from Spanish*): I believe that there is some confusion. My delegation was the initiator of the draft resolution; we cannot, therefore, explain our vote.

I understood the procedure to be that at the beginning of the consideration of each cluster general comments could be made on the cluster, and that when decisions were taken on each draft resolution explanations of vote could be given before and after the voting. If I am wrong, please forgive me, Mr. Chairman.

The Chairman: I thought I had made myself very clear from the beginning. I explained the procedure on Friday and again today, and I thought it had been very well understood. I am not in a position to go back on that, because we have already proceeded to a very elaborate stage of voting on draft resolutions. I thought my intentions had been understood; that is why I explained the procedure from the beginning. I am sorry, but I cannot change that.

Mr. de Icaza (Mexico) (*interpretation from Spanish*): I fully agree, Mr. Chairman, that the procedure must be very clear. But to avoid a whole series of misunderstandings, allow me to repeat it in Spanish so that everyone understands me — because sometimes we may not understand because of the interpretation.

I understand that the procedure to be followed consists of three stages. At the beginning of each cluster, draft resolutions will be introduced and general comments and explanations of position made on all the draft resolutions in it. There will be no introduction of individual draft resolutions, merely explanations of vote before and after the decision has been taken. Is that the procedure you are proposing, Mr. Chairman?

The Chairman: Possibly it will help members if I read what I stated on Friday, at the 17th meeting. I said:

> "At the outset of each meeting, delegations will have an opportunity to introduce revised draft resolutions. Then I shall give the floor to those delegations wishing to make general statements or comments other than in explanation of position or vote on the draft resolutions in a given cluster. Thereafter the floor will be given to those delegations wishing to explain their positions or votes on a draft resolution before a decision is taken. After the Committee has taken a decision on a draft resolution, I will give the floor to those delegations wishing to explain their position or vote on the draft resolution after a decision has been taken."

Mr. de Icaza (Mexico) (*interpretation from Spanish*): I already understood. It is just that the procedure is unlike the one used in previous years — two different procedures — but of course I agree to the procedure.

The Chairman: The Committee will now take action on draft resolution A/C.1/52/L.17. I call on the Secretary of the Committee.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.17, entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)", was introduced by the

representative of Mexico at the Committee's 17th meeting, on 7 November 1997. In addition to those sponsors listed in the draft resolution and in document A/C.1/52/INF.2, it is also sponsored by the Bahamas.

The Chairman: The sponsors of draft resolution A/C.1/52/L.17 have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/52/L.17 was adopted.

The Chairman: I now call upon those representatives who wish to explain their position after the decision just taken.

Mr. Danieli (Israel): Israel has once again joined the consensus on this draft resolution. It is Israel's position that a nuclear-weapon-free zone should originate from within the region itself through free and direct negotiations among all the region's constituents and should include mutual verification regimes. A nuclear-weapon-free zone has to take into account the specific characteristics of each region.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/52/L.26. I shall first call on those members of the Committee who wish to explain their position or vote before a decision is taken. I see none. I call on the Secretary of the Committee.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.26, entitled "African Nuclear-Weapon-Free Zone Treaty", was introduced by the representative of Kenya at the 16th meeting of the Committee, on 6 November 1997. The draft resolution is sponsored by the representative of Kenya on behalf of the Group of African States.

The Chairman: The sponsors of draft resolution A/C.1/52/L.26 have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/52/L.26 was adopted.

The Chairman: I now call upon those representatives who wish to explain their position after the decision just taken.

Mr. Carcer (Spain) *(interpretation from Spanish)*: The Spanish delegation is gratified that the draft resolution on the African Nuclear-Weapon-Free Zone Treaty has been adopted by consensus.

With regard to paragraph 3 of the draft resolution, which refers to Protocol III to the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), I wish to place on record that the position of Spain on this matter has already been conveyed to the Treaty depositary. Nevertheless, Spain fully supports the objectives of the Treaty and is convinced that the establishment of nuclear-weapon-free zones on the basis of agreements reached freely and by consensus among the States of the region strengthens international peace and security.

Mr. Danieli (Israel): Israel's position regarding the African continent has not changed. Israel has joined the consensus on the draft resolution and it is my country's position that a nuclear-weapon-free zone should originate from within the region through free and direct negotiations among all the region's constituents and should include mutual verification regimes. A nuclear-weapon-free zone has to take into account the specific characteristics of each region.

The Chairman: If no members of the Committee wish to explain their position or vote before action is taken, the Committee will now proceed to take action on draft resolution A/C.1/52/L.29.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.29, entitled "Nuclear disarmament", was introduced by the representative of Myanmar at the 17th meeting of the Committee on 7 November 1997. The draft resolution was sponsored by the States listed in the draft resolution and in document A/C.1/52/INF/2.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's

Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Azerbaijan, Belarus, Chile, Cyprus, Georgia, Japan, Kazakhstan, Malta, Marshall Islands, New Zealand, Republic of Korea, Russian Federation, San Marino, South Africa, Ukraine

Draft resolution A/C.1/52/L.29 was adopted by 97 votes to 39, with 17 abstentions.

The Chairman: I shall now call on those representatives who wish to explain their votes or positions.

Mr. Sha Zukang (China) (*interpretation from Chinese*): The Chinese delegation voted in favour of draft resolution A/C.1/52/L.29 on nuclear disarmament. China supports the thrust and objective of this draft resolution on nuclear disarmament put forward by a number of non-aligned countries, because China and various non-aligned and non-nuclear States have many common concerns on the question of nuclear disarmament. We all advocate the complete prohibition and the thorough destruction of nuclear weapons. We all believe that we should negotiate and conclude a treaty on a complete prohibition of nuclear weapons, in the same way as we negotiated and concluded conventions on the complete prohibition of chemical and biological weapons, so as to achieve a world free of nuclear weapons at an early date.

We all object to the policy of nuclear deterrence based on the use or threat of use of nuclear weapons. We all support the idea that the Conference on Disarmament in Geneva should negotiate and conclude, at an early date, an international legal instrument assuring non-nuclear-weapon States against the use or threat of use of nuclear weapons.

The Chinese delegation would like to take this opportunity to state that the historical background, considerations and nuclear policies of nuclear-weapon States in developing their nuclear weapons are not the same. It was under specific historical conditions that China developed a small number of nuclear weapons. China had no choice but to do this out of a need for survival and development. Chinese nuclear weapons were not meant to threaten others. They are entirely for defensive needs, for self-defence and for the purpose of the ultimate elimination of nuclear weapons.

From the very first day China began to possess nuclear weapons, it announced solemnly that it would not be the first to use them. China has also unconditionally undertaken not to use nuclear weapons or threaten to use them against non-nuclear States at any time or in any circumstances. China is also the only nuclear-weapon State that has assumed and abided by this commitment. China has never deployed nuclear weapons outside its territory and has never used or threatened to use nuclear weapons against other countries.

As a nuclear-weapon State, China does not intend to and will never evade its obligations and responsibilities on nuclear disarmament. Together with other nuclear-weapon States, and many other non-nuclear-weapon States, we would like to make an effort to achieve a world free of nuclear weapons. We believe that within the framework of the negotiation of a treaty on the complete prohibition of nuclear weapons, the international community should define the specific measures, steps and timetable for nuclear disarmament. At the same time, we believe that the State with the biggest and the most sophisticated nuclear arsenal has a long way to go on the path of nuclear disarmament. It continues to bear a special responsibility for nuclear disarmament.

Mr. Illanes (Chile) (*interpretation from Spanish*): My delegation would also like to explain its vote on draft resolution A/C.1/52/L.29. Chile has consistently recommended that nuclear disarmament be given priority attention by the international community. We agree with most of the ideas in this draft resolution. However, we do not agree with some of the aspects of the draft which we do not feel contribute to achieving the objective sought by the draft resolution, as they do not promote the rapprochement with the nuclear Powers that would make it feasible to move towards negotiating the prohibition of the use or threat of use of nuclear weapons and, in the final analysis, their complete elimination. There are certain prerequisites that, unfortunately, will impede the delicate negotiations and, therefore, will not help us out of the current impasse in this regard. I am referring, in particular, to the demand for imposing a rigid time-frame for compliance with the important steps involved in any negotiation of this type. Much to our regret, therefore, we felt obliged to abstain on draft resolution A/C.1/52/L.29, although in broad terms we agree with its objectives.

Mr. Hayashi (Japan): I would like to explain Japan's abstention in the voting on the draft resolution contained in document A/C.1/52/L.29, entitled "Nuclear disarmament".

I have already referred in my explanation of vote on draft resolution A/C.1/52/L.15 to Japan's fervent desire that the use of nuclear weapons will not and should not be repeated and its firm belief that continuous efforts should be made towards a world free of nuclear weapons.

Having said that, I would like to say with regard to draft resolution A/C.1/52/L.29 that the idea it contains, especially the element of a time-bound framework for the elimination of nuclear weapons, does not command the support of all the nuclear-weapon States, and therefore Japan cannot regard it as having been formulated on the basis of appropriate consideration and consultations.

Furthermore, this draft resolution does not contain any reference to the highly important Non-Proliferation Treaty (NPT) review process, which is the follow-up to the outcome of the NPT Review and Extension Conference held in 1995. Japan considers that the NPT review process is one of the most effective, realistic and solid frameworks for the promotion of nuclear disarmament.

For these reasons, Japan could not support draft resolution A/C.1/52/L.29.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/52/L.32/Rev.1.

I shall first call on those representatives wishing to explain their position or vote before a decision is taken.

Mr. Benítez Verson (Cuba) (*interpretation from Spanish*): As nuclear disarmament is a top priority for Cuba, my delegation has very carefully reviewed all the draft resolutions in cluster 1, including draft resolution A/C.1/52/L.32/Rev.1, on "Bilateral nuclear arms negotiations and nuclear disarmament".

Unfortunately, once again the text submitted this year is similar to those of previous years. It is filled with praise and appreciation, but makes no critical assessment of the current state of bilateral negotiations on nuclear weapons.

My delegation considers that this draft resolution is not an objective, critical stocktaking, but instead reflects a partial and selective approach to the important matter it deals with, and makes little contribution to the promotion of the process of nuclear disarmament — the international community's highest priority. My delegation will therefore abstain from the vote on draft resolution A/C.1/52/L.32/Rev.1.

Mr. Akram (Pakistan): My delegation wishes to explain its vote on draft resolution A/C.1/52/L.32/Rev.1. It has examined the draft resolution very carefully, and takes note of the fact that it repeats many of the provisions of a previous resolution.

At our last session there were in fact two draft resolutions on this subject, and my delegation supported both. We wish to place on record that in the context of negotiations for nuclear disarmament, whether bilateral or multilateral, the General Assembly ought to take into account both the positive and the negative developments which have taken place. This draft resolution — perhaps naturally, given its sponsorship — focuses on the positive developments, and omits to mention the issues which have caused us concern, to which we have given voice in the debates of this Assembly. We trust that those concerns will be duly noted by the States involved.

Furthermore, my delegation has always taken the view that those engaged in bilateral negotiations on nuclear disarmament have an obligation to keep the Conference on Disarmament fully informed of developments in those negotiations, given their importance for international peace and security and the entire process of disarmament. We

trust that the States concerned will respond to the desires of many Member States to ensure that the Conference on Disarmament is kept fully in the picture with regard to the developments on bilateral arms negotiations.

The Chairman: The Committee will now take action on draft resolution A/C.1/52/L.32/Rev.1.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.32/Rev.1, entitled "Bilateral nuclear arms negotiations and nuclear disarmament", was introduced by the representative of the United States of America at the 17th meeting of the Committee on 7 November 1997. In addition to those countries listed in the draft resolution and in document A/C.1/52/INF/2, it was also sponsored by France and Uzbekistan.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Zambia, Zimbabwe

Against:

None

Abstaining:

Cuba, Democratic People's Republic of Korea, India, Iran (Islamic Republic of), Lebanon, Libyan Arab Jamahiriya, Syrian Arab Republic, United Republic of Tanzania

Draft resolution A/C.1/52/L.32/Rev.1 was adopted by 147 votes to none, with 8 abstentions.

The Chairman: I now call on those delegations wishing to explain their vote or position.

Mr. Rao (India): We welcome the efforts that have been made in the past few years to take advantage of the positive post-cold-war climate to make progress in bilateral arms control. We have, however, to keep in mind that these are essentially efforts at arms control, and weapons that are reduced in numbers can often be made up for by qualitative development. As recent events testify, there have been continuing efforts at modernization of nuclear forces, including sub-critical nuclear testing, and activities that could lead to the weaponization of space.

After the initial promise, arms control efforts appear to have received a setback. The START II Treaty provided for reductions in two phases. The first phase established a linkage with START I and was to be completed within seven years after the entry into force of START I, that is, by the year 2001. The START II Protocol signed in September 1997 extends this time schedule to the end of 2004. The second phase of START II has been extended from 2003 to 2007. The START II Protocol not only extends the time limit for START II reductions but also slows down the START timetable.

Therefore, with the extended time-frames, the START process, which has been slow, is slowing down further. We believe that to have credibility the bilateral process must display greater transparency, commitment to irreversibility

and multilaterally verifiable de-alerting and deactivation procedures.

This process also suffers from the disadvantage of being a bilateral process and does not encompass the other nuclear-weapon States. Clearly, these bilateral reductions need to be a part of multilateral and comprehensive negotiations on nuclear disarmament leading to the total elimination of these weapons within a time-bound framework. At the same time, we believe that the process of bilateral negotiations should be taken as far as it can go. There is an urgent need for the two major nuclear-weapon States to intensify efforts to implement existing agreements and begin work on deep reductions and to extend the processes at the same time to the nuclear arsenals of the other nuclear-weapon States.

It is for these reasons that we abstained in the voting on draft resolution A/C.1/52/L.32/Rev.1.

Mr. Dehghani (Islamic Republic of Iran): My delegation sympathizes with the basic thrust of draft resolution A/C.1/52/L.32/Rev.1, "Bilateral nuclear arms negotiations and nuclear disarmament". However, we abstained in the voting for the following reasons.

First, there is no reference to the Conference on Disarmament as the sole negotiating body in the field of disarmament. Secondly, there is the self-satisfactory tone of the draft resolution on the state of affairs with regard to nuclear-arms negotiations. Thirdly, there are other elements in the draft resolution that my delegation has no means of substantiating or verifying, such as the content of the eleventh preambular paragraph, which refers to the significant reductions made by other nuclear-weapon States, as well as other similar references in the treaty.

Finally, with regard to the fifth preambular paragraph, which appreciates the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and acknowledges the importance of the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, my delegation believes that we can appreciate the importance of the Conference only after its decisions taken in that Conference are fully implemented.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/52/L.37, "Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons". I shall first call upon members of the Committee who wish to speak in explanation of vote before the voting.

Mr. Soutar (United Kingdom): The United Kingdom is committed to the goal of the global elimination of nuclear weapons. We will press for mutual, balanced and verifiable reductions in nuclear weapons. When satisfied with verified progress towards our goal, we will ensure that British nuclear weapons are included in multilateral negotiations.

Considerable progress has been made on nuclear disarmament, and we believe that the negotiation of a fissile-material cut-off treaty is a crucial next step, as was recognized by the parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) when they agreed a set of principles and objectives at the 1995 Review and Extension Conference.

We welcome the recognition of the importance of obligations under the NPT, including the nuclear-weapon States' obligation on nuclear disarmament in accordance with the International Court of Justice's Advisory Opinion on the *Legality of the Threat or Use of Nuclear Weapons*. But, given that draft resolution A/C.1/52/L.37 contains highly selective quotations from the Court's Advisory Opinion, the United Kingdom will abstain in the voting on paragraph 1 of the draft resolution.

In view of that selectivity, and on account of the unrealistic call in paragraph 2 for multilateral negotiations in 1998 leading to an early conclusion of a nuclear-weapons convention, the United Kingdom will vote against the draft resolution as a whole and against paragraph 2.

Mr. Grey (United States of America): The United States will vote "no" on draft resolution A/C.1/52/L.37, "Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons".

Despite the title and the mention of the Advisory Opinion of the International Court of Justice in the twelfth preambular paragraph and paragraph 1, this draft resolution is not really about the International Court of Justice's Advisory Opinion at all. It is, rather, a repetition of calls made in other draft resolutions for immediate multilateral negotiations on the time-bound elimination of nuclear weapons. The United States has opposed this idea in the past and will continue to do so because we remain convinced that the bilateral efforts which have already produced concrete results in the area of nuclear disarmament remain, for the time being, the only realistic approach to arms control in this highly complex field.

This draft resolution not only advocates a course of action to which the United States cannot agree, it does so in a highly tendentious, not to say disingenuous, manner. I refer to the mischaracterization of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in the NPT Principles and Objectives decision document, which are selectively quoted in the third and fourth preambular paragraphs by omitting crucial references to general and complete disarmament. This omission distorts the article VI obligation so that it would appear to relieve non-nuclear-weapon States of any disarmament responsibilities.

The Court's Advisory Opinion — and I stress "advisory" — is itself misrepresented. Paragraphs 1 and 2, taken together, attempt to turn the Court's Advisory Opinion into a legal edict that requires immediate negotiations and their rapid conclusion in a multilateral forum.

The United States takes its obligations under article VI of the NPT very seriously and reaffirmed them in the context of the 1995 extension of the Treaty. However, the Court's statement that there exists an obligation to bring to a conclusion negotiations on nuclear disarmament does not alter the substance of the article VI obligation in any way, since the responsibility to pursue negotiations in good faith inherently involves seeking a successful conclusion to negotiations.

Mr. Villagra Delgado (Argentina) (*interpretation from Spanish*): My delegation intends to vote in favour of draft resolution A/C.1/52/L.37 under agenda item 71 (k). We agree with the substance of paragraph 1, which states that there exists an obligation to pursue negotiations to achieve nuclear disarmament.

But I would like to refer to the appeal in operative paragraph 2. We think that because of the sensitivity of this issue, the commencement of multilateral negotiations should itself be the subject of an agreement, without any predetermined deadlines, so if this paragraph were put to a separate vote, we would abstain.

Mr. Nordenfelt (Sweden): The Swedish Government attaches great importance to the Advisory Opinion of the International Court of Justice of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons* [A/51/218]. The draft resolution that we are just about to adopt focuses, as last year's did, on the consensus opinion of the Court, in paragraph 105, that

> "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control."

It is imperative that the momentum in nuclear disarmament be maintained and further strengthened. For this reason, my delegation will vote in favour of this draft resolution. However, the Swedish Government welcomes and supports all efforts in the appropriate forms and forums to achieve the complete elimination of nuclear weapons.

In this regard, both multilateral negotiations in the Conference on Disarmament and further effective measures by the nuclear-weapon States themselves — unilateral or plurilateral — have an important role to play. My delegation would have wished to see this better reflected in the text. The Court does not, in fact, prescribe a particular form for the achievement of global nuclear disarmament.

If there is a separate vote on operative paragraph 2, my delegation will abstain in that vote.

Mr. Goosen (South Africa): We are grateful to Malaysia for once again bringing the subject of draft resolution A/C.1/52/L.37, "Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons", before the First Committee.

The decision of the International Court of Justice is not only of considerable significance in and of itself, but will be an important landmark on the road to our common goal of eliminating nuclear weapons.

The change that the sponsors of the draft resolution have brought to the tenth preambular paragraph is also welcome. We will vote in favour of this draft resolution and will study the implications of the new language in the tenth preambular paragraph in greater detail.

The Chairman: The Committee will now take action on the draft resolution contained in document A/C.1/52/L.37.

A recorded vote has been requested. Separate, recorded votes have been requested on the tenth preambular paragraph and on operative paragraphs 1 and 2.

I call on the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.37, entitled "Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons", was introduced by the representative of Malaysia at the 16th meeting of the Committee on 6 November 1997. In addition to those countries listed in the draft resolution and in document A/C.1/52/INF/2, the draft resolution was also sponsored by Egypt.

The Committee is voting first on the tenth preambular paragraph of draft resolution A/C.1/52/L.37.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan

Abstaining:

Argentina, Austria, Belarus, Benin, Chile, Cyprus, Estonia, Finland, Georgia, Japan, Kazakstan, Kyrgyzstan, Liechtenstein, Republic of Korea, Republic of Moldova, Togo, Turkmenistan

The tenth preambular paragraph of draft resolution A/C.1/52/L.37 was retained by 99 votes to 34, with 17 abstentions.

Mr. Lin Kuo-Chung (Secretary of the Committee): The Committee will next vote on operative paragraph 1 of draft resolution A/C.1/52/L.37.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Saint Lucia, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zambia, Zimbabwe

Against:

France, Israel, Monaco, Russian Federation, United States of America

Abstaining:

Bulgaria, Georgia, Kyrgyzstan, Republic of Korea, Republic of Moldova, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, Uzbekistan

Operative paragraph 1 of draft resolution A/C.1/52/L.37 was retained by 139 votes to 5, with 9 abstentions.

Mr. Lin Kuo-Chung (Secretary of the Committee): The Committee will now vote on operative paragraph 2 of A/C.1/52/L.37.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Zambia, Zimbabwe

Against:

Albania, Andorra, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan

Abstaining:

Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Benin, Cyprus, Finland, Gabon, Georgia, Ireland, Japan, Kazakhstan, Kyrgyzstan, Liechtenstein, Malta, Republic of Korea, Republic of Moldova, Sweden, Togo, Ukraine, Uruguay

Operative paragraph 2 of draft resolution A/C.1/52/L.37 was retained by 96 votes to 34, with 23 abstentions.

Mr. Lin Kuo-Chung (Secretary of the Committee): The Committee will now vote on draft resolution A/C.1/52/L.37 as a whole.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zambia, Zimbabwe

Against:

Albania, Andorra, Belgium, Bulgaria, Canada, Czech Republic, France, Germany, Greece, Hungary, Israel, Italy, Luxembourg, Monaco, Netherlands, Poland,

Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Armenia, Australia, Austria, Azerbaijan, Belarus, Benin, Croatia, Cyprus, Denmark, Estonia, Finland, Georgia, Iceland, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Norway, Republic of Korea, Republic of Moldova, Togo, Uzbekistan

Draft resolution A/C.1/52/L.37, as a whole, was adopted by 103 votes to 26, with 24 abstentions.

The Chairman: I now give the floor to those representatives who wish to explain their votes or positions.

Mr. Illanes (Chile) (*interpretation from Spanish*): Chile wishes to explain its abstention in the voting on the tenth preambular paragraph of draft resolution A/C.1/52/L.37. Our decision was based on the same reasons stated earlier: We believe that there is no need for a specific time-frame as a precondition for negotiating a multilateral instrument. For reasons that are well known, that condition damages the viability of such negotiations.

We are gratified that, having had a separate vote, we were able to abstain in the voting on that paragraph while supporting the draft resolution as a whole, which we deem to be very important — just as important, in fact, as the Advisory Opinion of the Court.

Mr. Stephanou (Greece) (*interpretation from French*): As this is the first time I am speaking in this Committee, I wish, on behalf of my Government and delegation, to congratulate you warmly, Sir, on your election to the chairmanship. Our congratulations also go to the Bureau.

Greece reiterates its respect and esteem for the International Court of Justice and its desire to preserve the Court's status, prestige and lofty mission. In that context, Greece has always considered the Court to be an indispensable institution for the proper functioning of the United Nations system and for the maintenance of international peace and security.

Thus, the fact that Greece was unable to support draft resolution A/C.1/52/L.37 had nothing to do with the Court's Advisory Opinion, but was due to its sponsors' arbitrary selection of certain passages from that Opinion. Indeed, for reasons that are not juridical in nature, they found it appropriate to engage in a selective compilation of certain points from the Opinion that actually misrepresents its spirit and letter.

Mr. Hayashi (Japan): I would like to explain Japan's position in the voting on the draft resolution contained in document A/C.1/52/L.37, entitled "Advisory Opinion of the International Court of Justice on the Legality or the Threat or use of Nuclear Weapons".

Japan voted in favour of operative paragraph 1 and abstained in the other voting on the tenth preambular paragraph, operative paragraph 2 and the draft resolution as a whole.

As I have stated before, Japan, which had an extremely sorrowful experience in the past, desires wholeheartedly that the use of nuclear weapons never be repeated and firmly believes that continuous efforts should be made towards a world free of nuclear weapons. Japan believes that, because of their immense power to cause destruction and the deaths of and injury to human beings, the use of nuclear weapons is clearly contrary to the spirit of the humanity which gives international law its philosophical foundation.

The Advisory Opinion of the International Court of Justice, which this draft resolution addresses, demonstrates the complexity of the subject. We therefore would like to appraise carefully the implications that this Advisory Opinion might have on the international community's legal views of the use of nuclear weapons.

We support the unanimous Opinion of the Judges of the International Court of Justice on the existing obligation to pursue nuclear disarmament and to conclude negotiations on that matter in good faith. Japan firmly believes that we must take concrete measures to achieve steady and step-by-step progress in nuclear non-proliferation and disarmament. In this connection, we believe that it is more important for the international community — as the principles and objectives for nuclear non-proliferation and disarmament, which were adopted in 1995, stipulate — to commence as early as possible negotiations on a cut-off treaty, which is the next realistic measure following the successful conclusion of the Comprehensive Nuclear-Test-Ban Treaty, rather than to commence in 1998 negotiations leading to the conclusion of a nuclear-weapons convention, as is called for in this draft resolution.

For this reason, Japan could not support draft resolution A/C.1/52/L.37 in its entirety.

Mr. Seibert (Germany): I should like to explain Germany's position in the voting on draft resolution A/C.1/52/L.37.

Germany attaches importance to the Advisory Opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*. This is why Germany voted "yes" on operative paragraph 1 of that draft resolution.

Draft resolution A/C.1/52/L.37, however, also contains elements and draws conclusions which we do not consider to be in accordance with the Advisory Opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*. This is why Germany voted "no" on the draft resolution as a whole.

Mr. Onanga-Anyanga (Gabon) (*interpretation from French*): I would like to make a brief statement with regard to the voting on draft resolution A/C.1/52/L.37.

My country's commitment to nuclear disarmament is well known to everyone. We reaffirmed it again very recently during the general debate on our agenda items. In that same spirit, we welcome the Advisory Opinion of the International Court of Justice. Nevertheless, my delegation interpreted the Advisory Opinion as an invitation to the nuclear Powers to respect the important moral obligation to carry out in good faith negotiations leading to nuclear disarmament. It is for this reason that my delegation voted in favour of draft resolution A/C.1/52/L.37 as a whole.

We nevertheless wanted to express our reservations by abstaining on operative paragraph 2 of the draft resolution, as the wording does not seem to us to be conducive to facilitating respect for this important Advisory Opinion of the International Court of Justice.

Mr. Mernier (Belgium) (*interpretation from French*): Belgium attaches great importance to the Advisory Opinion of the International Court of Justice. In this spirit, it voted "yes" on paragraph 1. However, Belgium was not able to support draft resolution A/C.1/52/L.37 as a whole because it deals with the Court's Opinion improperly and selectively. In this connection, the Benelux explanation of vote given last year on the equivalent draft resolution has not lost its relevance for my country.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/52/L.38.

I shall now call on those members of the Committee who wish to explain their positions on the vote before a decision is taken on the draft resolution contained in document A/C.1/52/L.38.

Mr. Rao (India): We have already referred to our position on nuclear-weapon-free zones in our general statement in the First Committee. I will therefore restrict my remarks only to the draft resolution before us now, A/C.1/52/L.38.

Draft resolution A/C.1/52/L.38 is not a new draft resolution, and our position on this subject has not changed. The reasons for our opposition are clear, and I will take this opportunity to repeat them.

India does not regard South Asia as a region or a zone for purposes of disarmament and security, given the fact that our strategic and political interests and concerns extend beyond our immediate geographical neighbours. Hence, this draft resolution does not meet the United Nations-endorsed requirement that the establishment of nuclear-weapon-free zones — and, indeed, of all regional arrangements for disarmament and arms limitation — should be based on an appropriate definition of "region", taking into account the specific characteristics of the region and the full range of security concerns of the States of the region. Such zones must be established on the basis of arrangements freely arrived at by the States concerned.

Draft resolution A/C.1/52/L.38 does not fulfil any of the United Nations-endorsed criteria. It does not apply to regions specifically defined with the consent of the States of the region. It does not take into account the full range of the security concerns of all States, and it is not an arrangement which is likely to be freely arrived at among the States of the region. My delegation will therefore vote against this draft resolution.

The Chairman: As no other delegation wishes to explain its vote before the voting, the Committee will now take action on the draft resolution contained in document A/C.1/52/L.38.

A recorded vote has been requested. I call on the Secretary of the Committee to conduct the voting.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.38, under the agenda item entitled "Establishment of a nuclear-weapon-free zone in South Asia", was introduced by the representative of Pakistan at the 16th meeting on 6 November 1997. The

draft resolution was sponsored by the countries named in the draft itself.

A recorded vote was taken.

In favour:

Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Croatia, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe

Against:

Bhutan, India, Mauritius

Abstaining:

Afghanistan, Algeria, Cuba, Cyprus, Indonesia, Lao People's Democratic Republic, Myanmar, Viet Nam

The draft resolution was adopted by 139 votes to 3, with 8 abstentions.

[Subsequently, the delegation of Côte d'Ivoire informed the Secretariat that it had intended to vote in favour.]

The Chairman: I shall now call on those representatives who wish to explain their positions or votes.

Mr. Parnohadiningrat (Indonesia): My delegation would like to explain its abstention in the voting on draft resolution A/C.1/52/L.38.

We have consistently maintained that the establishment of nuclear-weapon-free zones should be on the basis of arrangements freely arrived at among the States of the region concerned. This is fully in accordance with paragraphs 33 and 60 of the Final Document adopted by consensus at the first special session of the General Assembly devoted to disarmament.

Furthermore, in paragraph 61 of that document the Assembly stated that,

> "The process of establishing such zones in different parts of the world should be encouraged ... The States participating in such zones should undertake to comply fully with all the objectives, purposes and principles of the agreements or arrangements ..." [S-10/2, para. 61]

In view of the fact that efforts towards the achievement of an agreement for the establishment of a nuclear-weapon-free zone in South Asia are under way and have yet to be conclusively pursued, my delegation abstained in the voting on draft resolution A/C.1/52/L.38.

Mr. Danieli (Israel): Israel voted in favour of draft resolution A/C.1/52/L.38. It is Israel's position that a nuclear-weapon-free zone should originate from within the region itself through free and direct negotiations among all the region's constituents, and should include mutual verification regimes. A nuclear-weapon-free zone has to take into account the specific characteristics of the region in question.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/52/L.41. I call now on those members of the Committee wishing to explain their votes or positions before a decision is taken on that draft resolution.

Mr. Suh (Republic of Korea): I wish to explain the position of my delegation with regard to the draft resolution

contained in document A/C.1/52/L.41. Last year, we abstained in the vote on the draft resolution relating to negative security assurances, changing our previous position of support for related draft resolutions. We changed our position to an abstention last year for two reasons: first, the draft resolution failed adequately to take into account major developments made in recent years in the field of security assurances; and secondly, the text did not reflect our belief that negative security assurances should be provided only to States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) that are in full compliance with their NPT obligations.

Upon reviewing this year's draft resolution we decided that it does not adequately reflect those two concerns, and we are therefore unable to give it our support.

My delegation wishes, however, to emphasize that we continue to look forward to the early conclusion of an effective international agreement that would provide non-nuclear-weapon States with negative security assurances so long as it adequately addresses the concerns outlined a moment ago.

The Chairman: The Committee will now take action on the draft resolution contained in document A/C.1/52/L.41. A recorded vote has been requested.

I call on the Secretary of the Committee.

Mr. Lin Kuo-Chung (Secretary of the First Committee): Draft resolution A/C.1/52/L.41, entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", was introduced by the representative of Pakistan at the 16th meeting, on 6 November 1997. The draft resolution is sponsored by those countries listed in document A/C.1/52/L.41 itself and in document A/C.1/52/INF/2.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Georgia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Zambia, Zimbabwe

Against:

None

Abstaining:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution A/C.1/52/L.41 was adopted by 107 votes to none, with 48 abstentions.

The Chairman: I call now on those representatives wishing to explain their positions or votes.

Mr. Rao (India): I wish to explain our vote on draft resolution A/C.1/52/L.41. The concept of security assurances flows from an acceptance of an unequal nuclear regime in which five nuclear-weapon States can continue to retain their nuclear weapons and the rest are to seek protection from them, hoping that the national security interests of weapon Powers will not encourage them to use their weapons on countries which do not have such weapons. We do not share this view, and believe that such partial measures will not provide any real security. The

only credible guarantee against nuclear weapons lies in their total elimination.

We also realize that the elimination of nuclear weapons is a complex task, and have therefore proposed the conclusion of an international agreement prohibiting the use or threat of use of nuclear weapons as a step in our efforts directed towards the elimination of nuclear weapons.

Having said this, we support the intent of the draft resolution as a means of restraining the use of nuclear weapons. We therefore voted in favour of draft resolution A/C.1/52/L.41.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/52/L.44/Rev.1. I call on the Secretary of the Committee.

Mr. Lin Kuo-Chung (Secretary of the First Committee): Draft resolution A/C.1/52/L.44/Rev.1, entitled "Establishment of a nuclear-weapon-free zone in Central Asia", was introduced by the representative of Uzbekistan at the 18th meeting, on 10 November 1997. The draft resolution is sponsored by those countries listed in document A/C.1/52/L.44/Rev.1 itself and in document A/C.1/52/INF/2.

The Chairman: The sponsors of draft resolution A/C.1/52/L.44/Rev.1 have expressed the wish that the draft resolution be adopted by the Committee without a vote. May I take it that the Committee wishes to adopt the draft resolution?

Draft resolution A/C.1/52/L.44/Rev.1 was adopted.

The Chairman: I call now on those delegations wishing to explain their positions on the draft resolution just adopted.

Mr. Grey (United States of America): The United States is pleased to have been able to join in the consensus on draft resolution A/C.1/52/L.44/Rev.1, on the establishment of a nuclear-weapon-free zone in Central Asia. My delegation believes that this draft resolution represents a valuable initiative on the part of the sponsors. Among other things, the draft resolution calls attention to the decision on principles and objectives for nuclear non-proliferation and disarmament of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). That document, to which the United States attaches a great deal of importance, called for the establishment of additional nuclear-weapon-free zones as well as for the cooperation, respect and support of all nuclear-weapon States with regard to the relevant protocols necessary to make such zones effective.

However, I would be remiss if I did not point out that in matters such as these the Devil is always in the details. So, while the United States wishes the sponsors well in their efforts to elaborate a draft treaty, at the same time we would urge them to learn from both the successes of and the difficulties experienced in the development of other nuclear-weapon-free zone treaties. In this context, I should point out that United States support for this draft resolution follows not only from our commitment to the NPT but from our long-standing policy of support in principle for nuclear-weapon-free zones, provided they are consistent with several well-established United States criteria.

I summarize them briefly as follows: the initiative must come from the States in the region; all important States must participate in the zone; compliance provisions must be adequately verified; no existing security arrangements should be disturbed; zones should effectively prohibit the development or possession of any nuclear device; zones should not affect existing rights under international law; and zones should not impose restrictions on the high seas freedoms of navigation.

Mr. Danieli (Israel): Israel joined the consensus on this draft resolution. It welcomes this initiative by the Central Asian States. It is our position that a nuclear-weapon-free zone should originate from within the region itself through free and direct negotiations among all the region's constituents, and that it should include mutual verification regimes. A nuclear-weapon-free zone has to take into account the specific characteristics of each region.

The Chairman: As no other delegation wishes to take the floor at this stage, we move to cluster 2.

In the absence of speakers wishing to make general statements on the draft resolutions contained in cluster 2, the Committee will now proceed to take action on draft resolution A/C.1/52/L.24.

I shall first call on those members of the Committee wishing to explain their position or vote before a decision is taken.

There being none, the Committee will now take action on the draft resolution.

I call on the Secretary of the Committee.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.24, entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction", was introduced by the representative of Hungary at an informal meeting on 30 October 1997. The draft resolution was sponsored by those countries listed in the draft resolution itself and in document A/C.1/52/INF/2.

In connection with this draft resolution, I would like to make a statement on behalf of the Secretary-General:

> "By paragraph 4 of draft resolution A/C.1/52/L.24, the General Assembly would request the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences, as well as the decisions contained in the final report of the Special Conference, including all necessary assistance to the Ad Hoc Group.
>
> "It should be noted that the Review Conferences and the Special Conference are conferences of States parties to the Convention. As was the case in the past, conferences on multilateral disarmament treaties — for instance, the Sea-Bed Treaty and the Environmental Modification Convention (EMOD) — included, in their rules of procedure, provisions concerning the arrangements for meeting the costs of the conference, including the sessions of the preparatory committees. Under those arrangements, no additional cost was borne by the regular budget of the Organization.
>
> "Accordingly, the Secretary-General considers that his mandate under draft resolution A/C.1/52/L.24 to render the necessary assistance and required services for the implementation of the decisions and recommendations of the Review Conferences and the Special Conference has no financial implications for the regular budget of the United Nations and that the associated costs will be met in accordance with the financial arrangements to be made by the Conference of the Convention.
>
> "In the light of the current financial situation of the United Nations, the Committee's attention is drawn to the established practice that all activities related to international conventions or treaties which, under their respective legal instruments, are to be financed outside the regular budget of the United Nations may only be undertaken when sufficient resources to cover the activities in question have been received from the State parties in advance."

The Chairman: The sponsors of this draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/52/L.24 was adopted.

The Chairman: I shall now call on those delegations wishing to explain their position or vote after the decision.

Mr. Danieli (Israel): Israel joined the consensus on this draft resolution as it has done in the past. Israel supports the objective of global prohibition of such weapons. In our view, any arrangement reached must include, in a comprehensive manner, all the States in the region of the Middle East. As the Iraqi example clearly proves, the establishment of a credible verification regime in this field faces inherent difficulties. Therefore, as a minimum, compliance and enforcement require the establishment of a credible verification regime. On the regional level, these arrangements should be mutually verified.

The Chairman: There being no other delegations wishing to speak at this stage, the Committee will now proceed to take action on draft resolution A/C.1/52/L.25/Rev.2.

As no members of the Committee wish to explain their position or vote before a decision is taken on the draft resolution, I call on the Secretary of the Committee.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/52/L.25/Rev.2, entitled "Prohibition of the dumping of radioactive wastes", was introduced by the representative of Kenya on behalf of the Group of African States, at the Committee's 16th meeting on 6 November 1997. The draft resolution was sponsored by Kenya, on behalf of the Group of African States, and the other countries listed in the draft resolution itself.

The Chairman: The sponsors of this draft resolution have expressed the wish that it be adopted by the Committee without a vote.

If I hear no objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/52/L.25/Rev.2 was adopted.

The Chairman: I now give the floor to those representatives wishing to explain their position on the draft resolution just adopted.

Mr. Akram (Pakistan): Pakistan joined the consensus on draft resolution A/C.1/52/L.25/Rev.2, on the prohibition of the dumping of radioactive wastes.

In addition to the issue of the dumping of radioactive waste, Pakistan also recognizes the vital importance of managing radioactive waste in a safe and effective manner. It is for this reason that Pakistan participated actively in the Group of Experts which was established with the specific mandate to draft a convention on the safety of radioactive waste management. The Expert Group was not mandated to draft an international convention on the safety of spent fuel management.

Pakistan had suggested that if the scope of the work of the Group of Experts needed to be expanded, a fresh mandate should be sought from the General Conference of the International Atomic Energy Agency (IAEA). We also suggested that a satisfactory solution to the question of spent fuel was to consider such spent fuel in the convention which a contacting party declared as radioactive waste. However, despite the lack of an appropriate mandate, a Joint Convention which includes not only radioactive waste management but also the safety of spent fuel management was concluded.

Pakistan also had other reservations, which were placed on the record of the Diplomatic Conference on the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. For the reasons stated, Pakistan did not support the adoption of this Joint Convention.

Our support for draft resolution A/C.1/52/L.25/Rev.2 as a whole does not, therefore, constitute any endorsement of some of its new elements, especially paragraph 8 concerning the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

Mr. Rao (India): India supports the objectives of draft resolution A/C.1/52/L.25/Rev.2, which are the prohibition of the dumping of nuclear and industrial waste and the establishment of a Code of Practice on the International Transboundary Movement of Radioactive Waste. The draft resolution also refers to the potential hazards underlying any use of radioactive wastes that would constitute radiological warfare, with a view to a future convention on the prohibition of radiological weapons.

However, with regard to the Joint Convention mentioned in paragraph 8, we have some reservations. We would like to state that there are differences of opinion about what constitutes waste, as spent fuel is a valuable resource, and not a waste, for many countries. There is also the anomaly that military wastes have been excluded from the purview of the Joint Convention. In our view, the endeavour to produce a convention on the prohibition of radiological weapons should necessarily include military wastes in its purview, as the issue deals with the military use of radiological weapons.

However, in view of the strong support for the primary objectives of the resolution, we have gone along with the consensus, despite our reservations on paragraph 8 relating to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

The Chairman: I now call on those representatives wishing to make general comments after the voting.

Mr. Mernier (Belgium) (*interpretation from French*): I should simply like to say that, with regard to A/C.1/52/L.37 on the Advisory Opinion of the International Court of Justice, my vote which was in accord with the vote of the Benelux countries last year, and was again made on behalf of the Benelux countries.

The Chairman: That concludes the voting for today.

I shall now call on the representative of Egypt, who wishes to speak in exercise of the right of reply.

Mr. Karem (Egypt): I would like to say a few words about the statement made by the representative of Israel following the adoption by consensus of the draft resolution [A/C.1/52/L.4*] on the establishment of a nuclear-weapon-free zone in the region of the Middle East. This delegation chose not to interrupt the voting process at the time, but we have decided that in the light of what was said certain clarifications must be made before this meeting ends.

I must at the outset register my own amazement at what has been said. The representative of Israel, who spoke about several issues, mentioned three particular points. His first was that, in his opinion, there were certain deficiencies in the draft resolution. I pause here to ask the question: what additional deficiencies did he see in the draft resolution? I thought there were only two — and those two deficiencies have been the focus of concerted action and accommodation from this side in order to solicit the support of Israel and to have it on board as part of the consensus on this draft resolution. I am really surprised, because I do not think that such a statement accords well with the spirit of compromise and accommodation exhibited by my delegation, which we showed by taking Israel's requests into consideration and amending the draft resolution in order to satisfy them.

The second point, which, incidentally, the representative of Israel mentioned in the course of consideration of at least five or six draft resolutions dealing with nuclear-weapon-free zones around the globe, related to two concepts: free and direct negotiations, and the idea that the zone, wherever it may be, must come from the region itself and must be freely arrived at. I think the negotiations on the draft resolution on the establishment of a nuclear-weapon-free zone again accords very well with these two points. We have not imposed anything, and we have listened very carefully and accommodated the points of view expressed by the Israeli delegation. Again, I find myself at total loss as to why we should listen to this kind of language. What have we been doing over the past few weeks, and, in particular, during the past 48 hours? That is exactly what we were trying to do.

In his third point, the representative of Israel made reference to steps and the approval of confidence-building measures, and said that in due course certain priorities must be dealt with. Again, I pause here to make the additional point that Egypt wholeheartedly agrees with the concept of confidence-building measures. But it is important to note that if we are to build confidence in the region of the Middle East we should begin with building confidence in the nuclear field. One such confidence-building measure, which is extremely important, would be not to shroud nuclear activities with secrecy and ambiguity, and what has come to be known in the region of the Middle East as psychological nuclear deterrence.

If we are to build confidence in the Middle East region we have to begin with concrete steps in this regard.

At any rate, the fact that we have a draft resolution adopted by consensus is important. I will continue with the good spirit of accommodation and compromise, and we hope that in the next few days the other side will reciprocate.

The meeting rose at 6.05 p.m.